

## NOTICE OF INTENT

Department of Environmental Quality  
Office of Air Quality and Radiation Protection  
Air Quality Division

Under the authority of the Louisiana Environmental Quality Act, La. R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, La. R.S. 49:950, et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Air Quality Division regulations, LAC 33:III.2531 (Log #AQ155).

The proposed changes would remove the operator training requirement for crematory operators and would remove the term "reconstruction" from the regulation. These changes eliminate a requirement that has no environmental benefit that can justify the cost of the requirement. The term "reconstruction" is used in the regulation when the term "modification" would be sufficient. The definition of this term also refers to LAC 33:III.3129, which has been repealed. Deleting the term will simplify the regulation and will not result in any increase in emissions.

This proposed rule meets the exceptions listed in R.S. 30:2019 (D) (3) and R.S.49:953 (G) (3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

A public hearing will be held on August 28, 1997, at 1:30 p.m. in the Maynard Ketcham Building, Room 326, 7290 Bluebonnet Boulevard, Baton Rouge, LA 70810. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate please contact Patsy Deaville at the address given below or at (504) 765-0399.

All interested persons are invited to submit written comments on the proposed regulations. Commentors should reference this proposed regulation by AQ155. Such comments must be received no later than September 4, 1997, at 4:30 p.m., and should be sent to Patsy Deaville, Investigations and Regulation Development Division, Post Office Box 82282, Baton Rouge, LA 70884 or to fax number (504) 765-0486. Copies of this proposed regulation can be purchased at the above referenced address. You may contact the Investigations and Regulation Development Division at (504) 765-0399 for pricing information. Check or money order is required in advance for each copy of AQ155.

This proposed regulation is available for inspection at the following DEQ office locations from 8:00 a.m. until 4:30 p.m.: 7290 Bluebonnet Boulevard, 4th floor, Baton Rouge, LA 70810; 804 31st Street, Monroe, LA 71203; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 3519 Patrick Street, Lake Charles, LA 70605; 3501 Chateau Boulevard West Wing, Kenner, LA 70065; 100 Asma Boulevard, Suite 151, Lafayette, LA 70508. This regulation is also available on the Internet at <http://www.deq.state.la.us/olae/irdd/olaeregs.htm>.

Gus Von Bodungen  
Assistant Secretary

**Title 33  
Environmental Quality  
Part III. Air**

**Chapter 25. Miscellaneous Incineration Rules**

**Subchapter D. Crematories**

**§2531. Standards of Performance for Crematories**

A. The provisions of this Subchapter apply to all new, modified, ~~reconstructed~~, and existing crematories used in the disposal of Type IV wastes and their appropriate containers.

B. Definitions. Terms used in this Section are defined in LAC 33:III.111 of these regulations with the exception of those terms specifically defined below as follows:

\* \* \*

**[See Prior Text]**

*Crematory*—any furnace or incinerator used in the process of burning Type IV waste for the purpose of reducing the volume of the waste by removing combustible matter and vaporizing of moisture through the application of heat.

~~*Reconstruction*—replacing, repairing, or upgrading equipment where the fixed capital cost of new components exceeds 50 percent of the fixed capital cost of a comparable entirely new source. Any final decision as to whether reconstruction has occurred must be made in accordance with the provisions of LAC 33:III.3129.F.1-3.~~

*Type IV Waste*—human and animal remains consisting of carcasses, organs, and solid organic wastes comprising up to 85 percent moisture and five percent incombustible solids.

\* \* \*

**[See Prior Text in C-D]**

1. Any new, ~~or modified, or reconstructed~~ facility regulated under Subsection A of this Section for which a complete application for a permit to construct was received after October 20, 1994, shall comply with all of the requirements of this Subchapter before operation may commence.

\* \* \*

**[See Prior Text in D.2-2.a]**

b. control equipment requirements of Subsection G of this Section shall be complied with no later than one year after promulgation of this regulation; ~~and~~

c. incinerator physical parameter requirements of Subsection H of this Section shall be complied with no later than two years after promulgation of this regulation; ~~and~~

~~d. operator training requirements of Subsection I of this Section shall be complied with no later than 18 months after promulgation of this regulation.~~

\* \* \*

**[See Prior Text in E-F.5]**

~~6. The crematory shall not be operated unless it is operated by an operator who has satisfactorily completed the training required by Subsection I of this Section.~~

\* \* \*

**[See Prior Text in G-H]**

1. Any facility regulated under Subsection A of this Section which commences construction, ~~or modification, or reconstruction~~ after October 20, 1994, shall provide design calculations to confirm a sufficient volume in the secondary (or last) chamber combustion zone to provide for at least a 1.0 second gas residence time at 1800°F. Primary chamber and stack shall not be used in calculating this residence time. The actual operating temperature of the secondary (or last) chamber combustion zone will be not less than 1600°F throughout the combustion process. The primary chamber shall not be charged unless the secondary (or last) chamber combustion zone temperature is equal to or greater than 1600°F.

\* \* \*

**[See Prior Text in H.2]**

**I. ~~Operator Training~~**

~~1. Any operators of crematories shall be trained by the equipment manufacturer's representatives or an equivalent state-approved organization. The training shall provide:~~

- ~~a. a basic understanding of the principles of the combustion process, instrumentation, and control equipment;~~
- ~~b. instruction on the operation and maintenance of the incinerator; and~~
- ~~c. an increase in awareness of regulatory requirements and safety concerns.~~

~~2. Training programs shall be a minimum of eight hours instruction and shall provide (at a minimum) hands-on experience involving:~~

- ~~a. start-up;~~
- ~~b. operation of at least one full incineration cycle;~~
- ~~c. shut-down of equipment; and~~
- ~~d. one full cycle of preventative maintenance actions.~~

~~3. The content of the training program shall be submitted to the department for approval.~~

~~4. For each person who successfully completes training, a certificate or other proof of training shall be required.~~

**J. Recordkeeping and Reporting**

1. The facility owner/operator shall maintain the following records on the facility premises at all times, and present them to an authorized representative of the department upon request:

- a. application approval records and permit to construct/operate;
- b. all other necessary permits and authorizations from local and/or other state regulatory agencies;
- c. equipment maintenance records;
- d. ~~operator training certificates;~~
- e. copies of all test results;
- ~~f.~~ daily record of the number of hours of operation; and
- g. all records of upset conditions with time and duration of upset noted.

2. A copy of all test results shall be submitted to the Louisiana Department of Environmental Quality, Air Quality Division for review and approval within 45 days of completion of testing.

~~3. A copy of all operator training certificates or other proof of training shall be submitted to the department within 30 days of successfully completing the training.~~

~~KJ.~~ Testing

1. All crematories with a design charge rate greater than 500 pounds per hour shall conduct emissions testing within 180 days of initial start-up to verify compliance with Subsections E.1-2 and F.1 of this Section using the following test methods:

a. Method 5 - Determination of Particulate Emissions from Stationary Sources (40 CFR part 60, appendix A, as incorporated by reference at LAC 33:III.3003);

b. Method 10 - Determination of Carbon Monoxide Emissions from Stationary Sources (40 CFR part 60, appendix A, as incorporated by reference at LAC 33:III.3003);

c. Method 9 - Visual Determination of the Opacity of Emissions from Stationary Sources (40 CFR part 60, appendix A, as incorporated by reference at LAC 33:III.3003); and

d. other tests which may be added at pretest meetings.

2. The owner/operator shall provide the department at least 30 days prior notice of any emission test to afford the department the opportunity to conduct a pretest conference and to have an observer present. The department has the authority to invalidate any testing where such notice is not provided.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:1107 (October 1994), amended LR 22:1127 (November 1996), LR 22:1212 (December 1996), LR